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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

FILED
UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

DORIS FEERER, et al, Plaintiffs

vs

No. CIV 95-0012 JEC/WWD
AMOCO PRODUCTION CO. et al, Defendants

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R. Barton March

CLERK

MEMORANDUM OPINION AND ORDER AFFIRMING SPECIAL MASTER'S REPORT
(11-22-99, DCKT 1150) ON CLAIMANT ALAMO RANCH PARTNERSHIP'S MOTION
(04-15-99, DCKT 1025) OBJECTING TO AMOUNT OF PROPOSED PAYMENT TO THEM
FROM THE NET SETTLEMENT FUND BY THE SETTLEMENT ADMINISTRATOR

1. This matter is before the Court upon motion of the Settlement Administrator, pursuant to Fed.R. Civ. P. p. 6 (d) & 53 (e) (2), to affirm the findings and adopt the recommendations of the Special Master, in the report of (11-22-99, Dckt 1150).

The Settlement Administrator's motion proposes the Court affirm and acknowledge the stipulation of the Claimant Alamo Ranch Partnership and the United States Dept of Agriculture, Farm Services Agency to reserve and withhold a part of the payment to Alamo Ranch Partnership until determination of a pending matter referred by the Settlement Administrator to the Court through the Special Master. This is the (06-08-99, dckt 1083), objection to distribution by the United States Dept of Agriculture, Farm Services Agency, and claim of entitlement to a part of the proposed distribution to Alamo Ranch Partnership. The claim is based upon that agency being a secured creditor and mortgagee of land once owned by the Adees, predecessors to Alamo Ranch Partnership.

Counsel and the entities involved and affected here are named in the certificate of service in the Settlement Administrator's motion for affirmance.

Per Fed. Rule. Civ P, 53 (e) (2), The Clerk's notice filed and distributed (11-22-99) by mail with the subject Special Master's report, fixed the time for filing objections to the report, as ten (10) days after receipt of the report. No objections have been filed.

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Counsel for claimant Alamo Ranch Partnership and Counsel for the United States , in the collateral matter in this proceeding, the United States motion (06-08-99,dckt 1083), stipulated that payment recommended by the Special Master in the subject report, may be divided. They agreed the sum of \$54,957.41, may be paid to Alamo Ranch Partnership by the Settlement Administrator as it is not related to land and royalties, the subject of the claim by the United States Dept of Agriculture, Farm Services Agency. They agreed the balance of the proposed payment to Alamo Ranch Partners, \$118.158.62, may be reserved and withheld until the United States' claim is determined.

2. IT IS HEREBY ORDERED AND ADJUDGED, the findings of the Special Master and his recommendations upon the matters in dispute, were based upon the evidence and in accordance with the Settlement Agreement and the Plan of Allocation; and are accepted and repeated as the findings and Order of the Court to the extent set forth here.

The Settlement Administrator will make payment of \$54,957.41, to Alamo Ranch Partnership and is to reserve \$118.158.62 until the United States' claim is determined.

IT IS FURTHER ORDERED pursuant to Fed. R. Cv. P. 54 (b):

As to each party, person or entity involved in this cause of action, this Memorandum Opinion and Order is a final judgment.

SO ORDERED

JOHN E. CONWAY
Chief United States District Judge

Approved:

Frank B. Zinn
Special Master